THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONBLE DR.JUSTICE G.YETHIRAJULU

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WRIT APPEAL NO. 2040 OF 2005.

DATED:20-10-2005

Between

St.Josephs Education Society,

48,Aravindanagar,Domalgunda,

Hyderabad rep. By its Secretary

Sri U.G.Reddy, son of late Joji Reddy

Aged 72 yrs, r/o Hyderabad.

….Appellant

And

1.The Labour Court-I rep. By its

Presiding Officer, Chandravihar building,

2nd floor, M.J.road,Hyderabad and another

…Respondents

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JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up

for disposal.

The appellant which is the management seeks to assail the interim order passed by the learned single Judge whereunder interim stay was granted subject to the condition the petitioner depositing 15% of the amount awarded by the Labour Court and the respondent except Mallesh was permitted to withdraw the amount without furnishing any security after proper identification.

Having considered the submissions made and having regard to the fact that the appeal is only against the interim order and especially having regard to the discretion exercised, we do not find any reasons to interdict the same more so when larger questions have to be gone into in the main writ petition though certain objections have been expressed in respect thereof. So it is difficult for them to withdraw the amount. However, the fact remains that a direction was given only to deposit 15% of the amount awarded by the Labour Court as conditional order. Hence, we do not find any merits in the appeal.

Accordingly, the writ appeal is dismissed. Office is directed to post the main writ petition for final hearing subject to part heard on 21-11-2005 before the regular Court hearing the matter. Time granted by the learned single Judge for deposit of the amount is extended upto 10-11-2005. No costs.

B.PRAKASH RAO, J

Dated: 20-10-2005.

G.YETHIRAJULU, J

Hsd

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